

(II) DELIBERATELY MODIFIED, CONTAINERIZED, OR OTHERWISE EQUIPPED WITH A SPECIAL DELIVERY, ACTIVATION, OR DETONATION COMPONENT THAT GIVES THE MATERIAL DESTRUCTIVE CHARACTERISTICS OF A MILITARY ORDINANCE.

(2) "DESTRUCTIVE DEVICE" INCLUDES A BOMB, GRENADE, MINE, SHELL, MISSILE, FLAMETHROWER, POISON GAS, MOLOTOV COCKTAIL, PIPE BOMB, AND PETROLEUM-SOAKED AMMONIUM NITRATE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 139A(c).

In paragraph (1) of this subsection, the word "is" is substituted for the former phrase "has been" for consistency in tense.

In paragraph (1)(i) of this subsection, the former reference to "[d]evices which are primarily designed and manufactured for military purposes as instrumentalities of destruction" is deleted as included in the reference to a material that is combined with apparatus "so as to be capable of inflicting injury to persons or damage to property".

In paragraph (1)(ii) of this subsection, the phrase "that gives the material" is substituted for the former phrase "so as to give it the" for clarity.

In paragraph (2) of this subsection, the conjunction "and" is substituted for the former conjunction "or" as the standard conjunction used in an inclusive definition.

Defined terms: "Explosive material" § 4-501

"Incendiary material" § 4-501

"Person" § 1-101

"Toxic material" § 4-501

(C) EXPLOSIVE MATERIAL.

(1) "EXPLOSIVE MATERIAL" MEANS MATERIAL THAT EXPLODES WHEN DETONATED AND HAS A DESTRUCTIVE CAPABILITY.

(2) "EXPLOSIVE MATERIAL" INCLUDES:

(I) EXPLOSIVES AS DEFINED IN ARTICLE 38A, § 26 OF THE CODE;  
AND

(II) DYNAMITE FOR CONSTRUCTION WORK, AMMONIUM NITRATE, NATURAL GAS IN PIPELINES OR STORAGE TANKS, ETHER, AND CANNISTERIZED OXYGEN FOR HEALTH CARE FACILITIES.

(3) "EXPLOSIVE MATERIAL" DOES NOT INCLUDE ITEMS EXCLUDED FROM EXPLOSIVES IN ARTICLE 38A, § 26 OF THE CODE WHEN THE ITEMS ARE USED IN THEIR ORIGINAL CONFIGURATION.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 139A(d).